IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 913 OF 2006
IN
SUIT NO. 2433 OF 1997

MR. ARNOLD J. VON GYER & ANR. ..PLAINTIFFS
V/S
MUMTAZ IQBAL SHAIKH & ORS. ..DEFENDANTS

DENZIL D'MELLO FOR PLAINTIFFS.
R.C. SHAH I/B DIVYA SHAH ASSOCIATES FOR DEFENDANT NOS. 1 & 2.
MS. CHIPARIKAR FOR DEFENDANT NO. 3 & 4 TO SHOW CAUSE NOTICE.

CORAM : S.K. SHAH, J.
DATE : 20TH SEPTEMBER,2006.

P.C.

1. This Chamber Summons is taken out by the Plaintiffs seeking amendment of the plaint on account of subsequent events. According to the plaintiffs the suit was filed for possession of the suit premises as the defendant had acquired possession recently. Therefore, he wants to add those subsequent events and also add the prayer for possession and other prayers asking for accounts of the rents and other dues collected and mesne profits in respect of the suit property and other consequential reliefs. Since the amendment sought does not change the nature of the suit or does not make a new case the Chamber Summons is allowed and made absolute in terms of prayer clause (i). No order as to costs. The amendment shall be carried out within two weeks.

2. Amended copy of the plaint be served on the defendants. The defendants shall be at liberty to file additional written statement only pertaining to the amended portion. The matter to come up after four weeks.

S.O. for four weeks.

(S.K. SHAH, J.)